

**FILED**

**MAR 23 2023**

CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JALEN J. STEWART,

Defendant.

) INDICTMENT

) **1:23 CR**

**166**

) CASE NO. \_\_\_\_\_

) Title 18, United States Code,  
) Section 1349

**JUDGE RUIZ**

COUNT 1

(Conspiracy to Commit Bank Fraud, 18 U.S.C. § 1349)

The Grand Jury charges:

1. In or around September 2021, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant JALEN J. STEWART and others known and unknown to the Grand Jury knowingly combined, conspired, confederated, and agreed with each other to commit Bank Fraud; that is: to knowingly execute, or attempts to execute, a scheme and artifice (i) to defraud Bank of America, a financial institution, as defined in Title 18, United States Code, Section 20, the deposits of which were insured by the Federal Deposit Insurance Corporation; and (ii) to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of Bank of America, by means of false and fraudulent pretenses, representation, and promises, in violation of Title 18, United States Code, Section 1344.

Objects of the Conspiracy

2. The objects of the conspiracy were to: (1) defraud Bank of America; (2) enrich the conspirators; and (3) avoid detection of the conspiracy.

Manner and Means of the Conspiracy

3. It was part of the conspiracy that:
- a. An unindicted co-conspirator stole a check drawn on the Bank of America account of Victim 1, a commercial business located in Independence, Ohio.
  - b. An unindicted co-conspirator altered Victim 1's check changing the payee to Lavish Soles, LLC.
  - c. An unindicted co-conspirator endorsed and deposited Victim 1's check into Lavish Soles, LLC's Bank of America account.
  - d. STEWART withdrew \$150,750 of the stolen funds from Lavish Soles, LLC's account.

Acts in Furtherance

4. In furtherance of the conspiracy, and to effect the objects and conceal the existence thereof, Defendant and others performed acts in the Northern District of Ohio and elsewhere, including, but not limited to, the following:
- a. On or about August 25, 2021, STEWART opened an account with Bank of America in the name of Lavish Soles, LLC.
  - b. Between September 7, 2021 and September 20, 2021, an unindicted co-conspirator altered Victim 1's check by changing the payee to Lavish Soles, LLC.

- c. Between September 7, 2021 and September 20, 2021, an unindicted co-conspirator endorsed Victim 1's check to read STEWART's name and Lavish Soles LLC's Bank of America account number.
- d. On or about September 20, 2021, an unindicted co-conspirator deposited Victim 1's check into Lavish Soles, LLC's bank account.
- e. Between September 22, 2021 and September 24, 2021, STEWART made the following transactions to obtain the stolen funds:

DATE	TRANSACTION	LOCATION	AMOUNT
September 22, 2021	Cash Withdrawal	Bank of America, Charlotte, NC	\$20,000
September 22, 2021	Cash Withdrawal	Bank of America, Charlotte, NC	\$50,000
September 23, 2021	Cash Withdrawal	Bank of America, Charlotte, NC	\$8,000
September 23, 2021	Cash Withdrawal	Bank of America, Pineville, NC	\$10,000
September 23, 2021	Cash Withdrawal	Bank of America, Charlotte, NC	\$10,000
September 23, 2021	Electronic Transfer	Zelle	\$1,000
September 23, 2021	Electronic Transfer	Zelle	\$1,000
September 23, 2021	Electronic Transfer	Zelle	\$1,000
September 23, 2021	Electronic Transfer	Zelle	\$600
September 23, 2021	Cash Withdrawal	Chase Bank, Charlotte, NC	\$9,000
September 23, 2021	Cash Withdrawal	Chase Bank, Charlotte, NC	\$5,000
September 24, 2021	Cash Withdrawal	Bank of America, Charlotte, NC	\$10,000
September 24, 2021	Cash Withdrawal	Bank of America, Rock Hill, NY	\$10,000
September 24, 2021	Electronic Transfer	Zelle	\$2,150
September 24, 2021	Cash Withdrawal	Chase Bank, Charlotte, NC	\$4,000
September 24, 2021	Cash Withdrawal	Chase Bank, Charlotte, NC	\$9,000
<b>TOTAL</b>			<b>\$150,750</b>

All in violation of Title 18, United States Code, Section 1349.

FORFEITURE

The Grand Jury further alleges:

5. The allegation of Count 1 is hereby realleged and incorporated herein by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c). As a result of the foregoing offenses, Defendant JALEN J. STEWART, shall forfeit to the United States all property, real and personal, which constitutes or is derived from proceeds traceable to the violation charged in Count 1.

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.